

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BRENDA DAVIES, Personal )  
Representative of the Estate of Duane )  
E. Davies, Deceased, )

4:08CV3203

Plaintiff, )

**JUDGMENT**

v. )

BNSF RAILWAY COMPANY, a )  
Delaware Corporation, )

Defendant. )

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Pursuant to the memorandum and order entered this date, this action is dismissed in its entirety without prejudice.

DATED this 23<sup>rd</sup> day of July, 2009.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge